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US v. Burhoe

September 8, 2017

Labor & Employment Law, Criminal Law & Procedure

(United States First Circuit) - Sustaining the conviction of union members for violations of a law prohibiting persons with certain criminal convictions from serving in certain positions within a labor organization within thirteen years after their term of imprisonment ends, but vacating convictions for extortion of a nonunion company and remanding for a new jury trial because the jury instructions allowed the jury to convict simply upon finding that work contracted for with union members was unwanted rather than the result of extortion.

US v. Gordon

September 8, 2017

Evidence, Communications Law, Civil Procedure

(United States First Circuit) - Affirming orders denying a motion to suppress and for evidentiary hearings in the case of a DEA task force investigation into a drug distribution ring in Maine that employed wiretapping in an attempt to find the source of the ring's oxycodone and crack cocaine supply because the evidence submitted in support of the wiretap request.

Matias v. Sessions

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Civil Rights, Civil Procedure, Immigration Law, Constitutional Law

(United States First Circuit) - Denying a motion arguing that violations of his due process rights to a fair hearing resulted in an adverse credibility finding by an Immigration Judge weighing the statements made by authorities in domestic battery convictions and those of the petitioner and witnesses because he spoke a different dialect than his interpreter, but the court agreed with the Board of Immigration Appeals decision finding the motion was untimely filed, alleged no exception to time limits, and raised no other exceptional circumstances warranting a sua sponte reopening of proceedings.

Johnston v. Mitchell

September 8, 2017

Criminal Law & Procedure, Evidence, Constitutional Law

(United States First Circuit) - Affirming a first degree murder conviction where the defendant claimed ineffective assistance of counsel when his attorney failed to move to suppress statements he made during psychiatric evaluations in jail and at a hospital after he was arrested and had requested a lawyer and for failing to prevent the jury from hearing about the various times he asked to speak to his attorney while in custody because psychiatric evidence can be produced

where the defendant has introduced their mental state as a defense and his requests for counsel were not seen as generating any adverse influence on the jury's decision.